

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

19-CR-901 (JPO)

-v-

NOTICE OF MOTION

JOAO CORCINO,

Defendant.

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PLEASE TAKE NOTICE, that upon the declaration of defendant Joao Corcino and the affirmation of defendant's attorney Patrick Joyce, annexed hereto, the defendant will move this Court before Honorable J. Paul Oetken, United States District Judge, in the United States Courthouse located at 500 Pearl Street, New York, New York 10007, at a time convenient for the Court, for issuance of the following Orders:

For an order suppressing all evidence obtained from defendant's apartment, upon the ground that:

1. Mr. Corcino was in custody at the time law enforcement detained him in the lobby of his building, at a time when they had less than probable cause to believe that he had committed or was about to commit a crime. Any evidence seized subsequent to this illegal arrest was obtained in violation of the Fourth Amendment to the United States Constitution;
2. Law Enforcement entered Mr. Corcino's residence and searched those premises and seized items from that apartment, without a valid warrant. All evidence seized from Mr. Corcino's apartment should be suppressed or in the alternative, the court should enter an order granting a hearing to determine the admissibility of such evidence.

3. For an order suppressing any and all statements elicited from the defendant by law enforcement on October 7, 2019 as the evidence was obtained in violation of the Fourth, Fifth and Sixth Amendments to the United States Constitution.

4. For an order permitting the defendant to file additional motions which may arise from the requests made herein.

5. For such other and further relief as the Court may deem just and proper.

Dated: March 12, 2020
New York, New York

Respectfully submitted,

BY: /s/ Patrick Joyce
Attorney for Joao Corcino
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TO: Honorable J. Paul Oetken
United States District Court
Southern District of New York
500 Pearl Street
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